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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Yamada

Serial No. 09/702,831 ✓

Group Art Unit 2829

Filed November 27, 2000 ✓

Examiner Nguyen, Vinh P.

For SEMICONDUCTOR DEVICE TESTER ✓

Assistant Commissioner for Patents
Washington, D.C. 20231

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APR 15 2002
TECHNOLOGY CENTER 2800

PETITION FOR A ONE MONTH EXTENSION OF TIME
AND
RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The undersigned hereby petitions for a one month extension of time to respond to the office action mailed February 14, 2002. A check in the amount of \$110 is attached to satisfy the extension of time fee. If any additional extensions of time are required to gain entry of this response, provisional request therefore is hereby made. If any additional fees are required to grant this petition or gain entry of this response, the Commissioner is authorized to charge attorney's deposit account 50-2041 (Whitham, Curtis & Christofferson, P.C.).

In response to the office action mailed February 14, 2002, the Applicant elects with traverse the species A invention shown in Figure 1. Species A shows the basic configuration of the invention; however, the features shown in Figure 1 are also carried on in any of the configurations shown in Figures 1, 2, 25, 35, 37, 40 and 45. Therefore, an election of species requirement appears improper, and it is requested that the restriction requirement be withdrawn.

The most important feature of the invention which Applicant requests to be examined is shown in Figures 49-68 of the application, and especially Figure 55, where the invention is to obtain information related to a structure of the sample in

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the depth direction. None of these Figures were identified as a "species" in the office action. The features illustrated in these figures should be examined in conjunction with the elected species A if the restriction requirement is not withdrawn.

The undersigned believes the following claims pertain to the elected species: Claim 1 (which is a generic claim) and claims 4-9, and 33. In addition, the tilting means of claim 13 is not specifically associated with any of the identified "species" and should be considered in conjunction with the elected species. Furthermore, depth direction features set forth in claims 28-32 are not specifically associated with any of the identified "species" and should be considered in conjunction with the elected species. Thus, at least claims 1, 4-9, 13, and 28-33 should be considered by the Examiner in examining this application; however, it is requested that all of claims 1-35 be considered since claim 1 is generic to all species (to the extent that there are distinct species), and the elements of elected species A can be found in all of the identified species.

Respectfully submitted,



Michael E. Whitham

Reg. No. 32,635



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PATENT TRADEMARK OFFICE